



**AUSTIN CITY COUNCIL
MINUTES**

**REGULAR MEETING
THURSDAY, APRIL 7, 2011**

Invocation: Deacon Ed Woolery-Price, All Saints Episcopal Church

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, April 7, 2011 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Leffingwell called the Council Meeting to order at 10:10 a.m.

CONSENT AGENDA

The following items were acted on by one motion. No separate action occurred on any of the items.

1. Approve the minutes of the Austin City Council special called meeting of March 22, 2011 and regular meeting of March 24, 2011.
The minutes from the special called meeting of March 22, 2011 and the regular Council meeting of March 24, 2011 were approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

Items 2 and 3 were pulled for discussion.

4. Approve issuance of a rebate to Dell Computers, Inc. for the installation of energy efficient equipment in an amount not to exceed \$92,854.
The motion authorizing the issuance of a rebate to Dell Computers, Inc. was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.
5. Approve an ordinance renaming a portion of Gregg Lane to East Howard Lane.
Ordinance No. 20110407-005 was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.
6. Authorize execution of a construction contract with ASPHALT PAVING COMPANY OF AUSTIN, INC., Buda, TX, for the 2011 Miscellaneous Streets Overlay - Phase 3 project in the amount of \$2,664,758.67 plus a \$266,475.86 contingency, for a total contract amount not to exceed \$2,931,234.53.
The motion authorizing the execution of a construction contract with Asphalt Paving Company of Austin, Inc. was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

7. Authorize negotiation and execution of Work Component Amendment No. A-1 to the Construction Manager at Risk Agreement with DPR Construction, Inc., Austin, TX, for a Partial Guaranteed Maximum Price of \$2,093,490 for both Work Component No. 01 - Demolition and Work Component No. 02 - Site Facilitization for the construction of the Austin Energy System Control Center, plus a contingency in the amount of \$46,000, for a total not-to-exceed authorization amount of \$2,139,490.
The motion authorizing the negotiation and execution of Work Component amendment number A-1 to the Construction Manager at Risk Agreement with DPR Construction, Inc. was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.
8. Authorize the negotiation and execution of a professional services agreement with MICHAEL VAN VALKENBURGH ASSOCIATES, INC., LANDSCAPE ARCHITECTS, Cambridge, MA, or one of the other qualified responders to RFQ Solicitation CLMP047A, to provide Professional Planning Services for the Holly Shores/Festival Beach Master Plan project with an amount not to exceed \$350,000.
The motion authorizing the negotiation and execution of a professional services agreement with Michael Van Valkenburgh Associates, Inc., Landscape Architects was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.
9. Authorize negotiation and execution of an Interlocal Agreement with Travis County and other Parties to conduct an economic development study of the economic impact of the Lake Travis area in an amount not to exceed \$20,000.
The motion authorizing the negotiation and execution of an interlocal agreement with Travis County and other parties was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

Item 10 was pulled for discussion.

11. Approve an ordinance authorizing acceptance of \$49,977 in grant funds from the TEXAS DEPARTMENT OF STATE HEALTH SERVICES, ZOONOSIS BRANCH, and amending the Fiscal Year 2010-2011 Health and Human Services Operating Budget Special Revenue Fund (Ordinance No. 20100913-002) to appropriate \$49,977 to conduct spay and neuter activities.
Ordinance No. 20110407-011 was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.
12. Authorize negotiation and execution of an Interlocal Agreement with TRAVIS COUNTY to provide funding and certain services for the Summer Youth Employment Program for a one-year term in an amount not to exceed \$562,554 with one 12-month renewal in an amount not to exceed \$562,554, for a total contract amount not to exceed \$1,125,108.
The motion authorizing the negotiation and execution of an interlocal agreement with Travis County was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

Item 13 was pulled for discussion.

Item 14 was pulled to be heard after the related Executive Session item.

15. Authorize execution of an amendment to the professional services contract with Carrasquillo Associates, LTD for the National Power Rodding Corporation, Inc. v. City of Austin and Quadex lawsuit, the amount of the increase is \$110,000. This increase would bring the total amount of the professional services contract to \$140,000.

The motion authorizing the execution of an amendment to the professional services contract with Carrasquillo Associates, LTD was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

16. Authorize the negotiation and execution of all documents and instruments necessary or desirable to acquire an approximately 17,328 square foot temporary staging area and material storage site easement for the Austin West Campus Water Improvement Area Project out of Lots 1 - 3, Block 59 and an additional portion of .471 AC OLT Block 59 of Graham's Addition situated in Travis County, Texas, located at 2600 San Pedro Street Austin, Travis County, Texas from WEST CAMPUS 26th, L.P., in an amount not to exceed \$8,386.75.

The motion authorizing the negotiation and execution of all documents and instruments necessary or desirable to acquire a temporary staging area and material storage site easement was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

Item 17 was pulled for discussion.

18. Approve a resolution consenting to legislation that would create the Rio de Vida special district, consisting of approximately 2,130 acres of land located along the east and west sides of SH 130 between FM 969 and the Colorado River, if certain provisions are included in the legislation creating the district.

Resolution No. 20110407-018 was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

19. Approve a resolution consenting to special legislation that would create the Pilot Knob municipal utility districts, consisting of approximately 2,214 acres of land located east of IH 35 between McKinney Falls Parkway and US 183 South, if certain provisions are included in the legislation creating the districts.

Resolution No. 20110407-019 was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

20. Authorize termination of an Interlocal Agreement between the City of Austin and the CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY for the Rundberg Lane from Metric to Burnet project.

The motion authorizing the termination of an interlocal agreement between the City of Austin and the Capital Metropolitan Transportation Authority was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

21. Authorize award and execution of Amendment No.1 to a requirements service contract with COMPUTER SCIENCE CORPORATION, Houston, TX to increase the contract amount for the purchase of software technology and implementation services including training in an amount not to exceed \$600,000, for a revised estimated contract amount not to exceed \$2,400,000.

The motion authorizing the award and execution of amendment number one to a requirements service contract with Computer Science Corporation was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

22. Authorize award and execution of a 12-month requirements supply contract with KBS ELECTRICAL DISTRIBUTORS, INC., Austin, TX for the purchase of station class surge arresters for Austin Energy in an estimated amount not to exceed \$120,000, with four 12-month extension options in an estimated amount not to exceed \$120,000 per extension option, for a total estimated contract amount not to exceed \$600,000.

The motion authorizing the award and execution of a requirements supply contract with KBS Electrical Distributors, Inc. was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

23. Authorize award, negotiation, and execution of a 12-month contract with SOLAR TURBINES INC, Houston, TX for an annual maintenance agreement for the gas turbine at Mueller Energy Center in an amount not to exceed \$139,816, with four 12-month extension options in an estimated amount not to exceed \$121,096 per extension option, for a total estimated contract amount not to exceed \$624,200. Solar Turbines is the sole source provider for these products.

The motion authorizing the award, negotiation and execution of a contract with Solar Turbines Inc. was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

24. Authorize award and execution of Amendment No. 2 to a requirements supply contract with TEXAS DIGITAL SYSTEMS, INC., College Station, TX, to increase the contract amount for the expansion of information delivery services for the new City of Austin/Austin Energy Walk-in Customer Service Center, including the purchase of monitors, software, installation, annual maintenance and support, and implementation in an estimated amount not to exceed \$54,000 for the current contract period, and in an estimated amount not to exceed \$3,000 for each of the three 12-month extension options, for a total estimated contract amount not exceed \$292,401.

The motion authorizing the award and execution of amendment number two to a requirements supply contract with Texas Digital Systems, Inc. was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

Items 25 through 27 were pulled to be heard after the related item number 2.

28. Authorize award, negotiation, and execution of an escrow agreement in an amount not to exceed \$7,600,000 and a 62-month contract with VELOCITY CREDIT UNION, Austin, TX, or one of the other qualified offerors to RFP No. SMH0116, for an energy efficiency lending program in an estimated amount not to exceed \$7,600,000, with three 12-month extension options in an estimated amount not to exceed \$600,000 per extension option, for a total estimated contract amount not to exceed \$9,400,000.

The motion authorizing the award, negotiation and execution of an escrow agreement and a contract with Velocity Credit Union was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

29. Authorize award and execution of Amendment No. 3 to a requirements supply contract with ALLAN BAKER, INC., dba KORRECT OPTICAL, Louisville, KY for the purchase of prescription safety eyewear for the Austin Water Utility, to exercise the final extension option in an estimated amount not to exceed \$15,000, for a revised total estimated contract amount not to exceed \$62,000.

The motion authorizing the award and execution of amendment number three to a requirements supply contract with Allan Baker, Inc. doing business as Korrect Optical was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

30. Authorize award and execution of the third year increase to a 36-month requirements supply contract with ELLIOTT ELECTRIC SUPPLY, Austin, TX, for the purchase of Cutler Hammer Equipment Repair Parts for the Austin Water Utility in an estimated not to exceed \$28,461.48, with three 12-month extension options amounts estimated not to exceed \$35,480 for a total contract amount not to exceed \$191,824.45.

The motion authorizing the award and execution of the third year increase to a requirements supply contract with Elliott Electric Supply was approved on consent on Council Member

Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

31. Authorize award and execution of Amendment No. 4 to a requirements supply contract with ENVIRONMENTAL RESOURCE ASSOCIATES, Austin, TX, for the purchase of water pollution and water supply proficiency testing standards for the Austin Water Utility, to exercise the final option in an estimated not to exceed \$25,000, for a revised total estimated contract amount not to exceed \$112,500.
The motion authorizing the award and execution of amendment number four to a requirements supply contract with Environmental Resource Associates was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.
32. Authorize award and execution of a 36-month requirements supply contract with PREMIER MAGNESIA, LLC, Flint, TX for the supply of THIOGUARD(r) magnesium hydroxide for the Austin Water Utility in an amount not to exceed \$750,000, with three 12-month extension options in amounts not to exceed \$250,000 per extension option, for a total contract amount not to exceed \$1,500,000. Premier Magnesia, LLC is the sole source provider for this product.
The motion authorizing the award and execution of a requirements supply contract with Premier Magnesia, LLC was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.
33. Authorize award and execution of a 36-month requirements service with WASTE MANAGEMENT TEXAS, Houston, TX for disposal services for grit and screening from wastewater treatment plants for the Austin Water Utility in an amount not to exceed \$386,460, with three 12-month extension options in amounts not to exceed \$128,820 per extension option, for a total agreement amount not to exceed \$772,920.
The motion authorizing the award and execution of a requirements service contract with Waste Management Texas was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.
34. Authorize award and execution of a 24-month requirements contract with BRUEL & KJAER, Sacramento, CA for the upgrade and maintenance support for the aircraft noise and flight track monitoring system to include two years of support services/warranty in an estimated amount not to exceed \$391,487, with three 12-month extension options for maintenance and support in estimated amounts not to exceed \$76,826 for the first extension option, \$79,074 for the second extension option, and \$81,390 for the third extension option, for a total estimated contract amount not to exceed \$628,777. Bruel & Kjaer is the sole source provider for these services.
The motion authorizing the award and execution of a requirements contract with Bruel & Kjaer was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.
35. Authorize award and execution of Amendment No. 2 to a contract with DECCAN INTERNATIONAL, San Diego, CA, for maintenance and support for CAD Analyst and other Deccan software to extend the contract for one 12-month period in an amount not to exceed \$31,200, with two additional 12-month extension options in an amount not to exceed \$31,200 per extension option, for a revised total contract amount not to exceed \$150,800.
The motion authorizing the award and execution of amendment number two to a contract with Deccan International was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.
36. Authorize award and execution of Amendment No. 3 to a contract with ENTECH SALES & SERVICE, Austin, TX, for security system monitoring and as-needed repair, to exercise the second extension option

in an amount not to exceed \$24,966, with one additional 12-month extension option in an amount not to exceed \$24,966, for a revised total contract amount not to exceed \$99,864.

The motion authorizing the award and execution of amendment number three to a contract with Entech Sales & Service was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

37. Authorize award and execution of Amendment No. 2 to a contract with ENVISTA CORPORATION, Beverly, MA, for a subscription to Envista's Asset Management Coordination and Permit Viewing System, to exercise the final extension option in an amount not to exceed \$51,800, for a revised total contract amount not to exceed \$155,400.

The motion authorizing the award and execution of amendment number two to a contract with Envista Corporation was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

38. Authorize award and execution of Amendment No. 2 to a contract with INSIGHT PUBLIC SECTOR, INC., Tempe, AZ, for software maintenance and support for Net Motion Mobility XE software to extend the contract for one 12-month period in an amount not to exceed \$33,096.85, with two additional 12-month extension options in an amount not to exceed \$33,096.85 per extension option, for a revised total contract amount not to exceed \$199,453.74.

The motion authorizing the award and execution of amendment number two to a contract with Insight Public Sector, Inc. was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

39. Authorize award and execution of a 12-month requirements service contract with MOTOROLA SOLUTIONS, INC., Austin, TX for two-way communications equipment repair services in an estimated amount not to exceed \$175,000, with three 12-month extension options in estimated amount not to exceed \$175,000 per extension option, for a total estimated contract amount not to exceed \$700,000. Motorola Solutions, Inc. is the sole source provider for these services.

The motion authorizing the award and execution of a requirements service contract with Motorola Solutions, Inc. was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

40. Authorize award and execution of Amendment No. 2 to a contract with NORTH AMERICAN COMMUNICATIONS RESOURCE, INC., Austin, TX, for maintenance and support for Red Sky E911 software to extend the contract for one 12-month period in an amount not to exceed \$31,648, with one additional 12-month extension option in an amount not to exceed \$31,648, for a revised total contract amount not to exceed \$118,563.85.

The motion authorizing the award and execution of amendment number two to a contract with North American Communications Resource, Inc. was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

41. Authorize award and execution of Amendment No. 1 to a 36-month contract with PORTER LEE CORPORATION, Schaumburg, IL, for software maintenance and support for the Barcoded Evidence Analysis, Statistics, and Tracking Laboratory Information Management System to authorize the third year contract funds in an amount not to exceed \$25,137, and add two 12-month extension options in an amount not to exceed \$25,891.11 for the first extension option and \$26,667.84 for the second extension option, for a revised total contract amount not to exceed \$124,435.95.

The motion authorizing the award and execution of amendment number one to a contract with Porter Lee Corporation was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

42. Authorize award, negotiation, and execution of Amendment No. 2 to a contract with SUMMUS INDUSTRIES, INC., (MBE/MB) Sugarland, TX, for additional Microsoft licenses and training in an amount not to exceed \$410,328 for a revised total contract amount not to exceed \$14,976,557.
The motion authorizing the award, negotiation and execution of amendment number two to a contract with Summus Industries, Inc. was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.
43. Authorize award and execution of Amendment No. 3 to a contract with TELVENT USA CORPORATION, Calgary, Alberta, Canada, for maintenance and support for Telvent VIP software to extend the contract for one 12-month period in an amount not to exceed \$50,544.35, for a revised total contract amount not to exceed \$146,329.50.
The motion authorizing the award and execution of amendment number three to a contract with Telvent USA Corporation was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.
44. Approve ratification of a 12-month contract through the State of Texas Department of Information Resources cooperative purchasing program with TIME WARNER CABLE, Austin, TX, in an amount not to exceed \$94,879.20, for broadband high-speed data and internet services.
The motion to ratify a contract through the State of Texas Department of Information Resources cooperative purchasing program with Time Warner Cable was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.
45. Authorize award and execution of a contract with PHYSIO-CONTROL, INC., Redmond, WA for the purchase of eleven refurbished cardiac defibrillator/monitors for the Emergency Medical Services Department in an amount not to exceed \$177,579. Physio-Control, Inc. is the single source provider for these products.
The motion authorizing the award and execution of a contract with Physio-Control, Inc. was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.
46. Authorize award and execution of a 36-month requirements service contract with QUICK SEARCH, Dallas, TX for pre-employment background investigation services in an estimated amount not to exceed \$228,080, with three 12-month extension options in estimated amounts not to exceed \$132,983 for the first extension option, \$166,281 for the second extension option, and \$202,909 for the third extension option, for a total estimated contract amount not to exceed \$730,253.
The motion authorizing the award and execution of a requirements service contract with Quick Search was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.
47. Authorize award and execution of a 36-month requirements service contract with ANA LABORATORIES, INC., Austin, TX, or one of the other qualified bidders for IFB-BV No. PAX0206, to provide alternate fuel testing services in an estimated amount not to exceed \$72,800, with three 12-month extension options in estimated amounts not to exceed \$34,560 for the first extension option, \$41,472 for the second extension option, and \$49,766 for the third extension option, for a total estimated contract amount not to exceed \$198,598.
The motion authorizing the award and execution of a requirements service contract with ANA Laboratories, Inc. was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.
48. Authorize award and execution of a 36-month requirements service contract with SOUTH POINT CHRYSLER DODGE JEEP, Austin, TX to provide repair parts and services for Dodge light-duty

vehicles in an estimated amount not to exceed \$399,526, with three 12-month extension options in estimated amounts not to exceed \$189,665 for the first extension option, \$227,598 for the second extension option, and \$273,118 for the third extension option, for a total estimated contract amount not to exceed \$1,089,907.

The motion authorizing the award and execution of a requirements service contract with South Point Chrysler Dodge Jeep was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

49. Authorize award and execution of a 36-month requirements supply contract with MILLER UNIFORMS & EMBLEMS INC., Austin, TX to provide uniforms and related services in an estimated amount not to exceed \$936,000, with three 12-month extension options in estimated amounts not to exceed \$416,000 for the first extension option, \$468,000 for the second extension option, and \$520,000 for the third extension option, for a total estimated contract amount not to exceed \$2,340,000.

The motion authorizing the award and execution of a requirements supply contract with Miller Uniforms & Emblems Inc. was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

50. Authorize award, negotiation, and execution of a 6-month requirements service contract with THE CNA CORPORATION, Alexandria, VA or one of the other qualified offerors to RFP No. PAX0100, to provide services related to the development of a Critical Infrastructure Key Resources program for the Austin urban area for a total estimated contract amount not to exceed \$99,942.

The motion authorizing the award, negotiation and execution of a requirements service contract with The CNA Corporation was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

51. Authorize award and execution of Amendment 1 to a contract with AUSTIN TURF & TRACTOR, Marble Falls, TX, for John Deere golf and turf equipment parts and service repairs in the amount of \$50,000 with three 12 month extension options not to exceed \$50,000 per option, for a total contract amount not to exceed \$300,000.

The motion authorizing the award and execution of amendment number one to a contract with Austin Turf & Tractor was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

52. Authorize award and execution of Amendment 1 to a contract with C & M GOLF & GROUNDS MAINTENANCE EQUIPMENT, Waco, TX, for golf course equipment parts and service repairs in the amount of \$50,000 with three 12 month extension options not to exceed \$50,000 per option, for a revised total contract amount not to exceed \$300,000.

The motion authorizing the award and execution of amendment number one to a contract with C&M Golf & Grounds Maintenance Equipment was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

53. Authorize award and execution of Amendment 1 to a contract with PROFESSIONAL TURF PRODUCTS, San Antonio, TX, for Toro golf equipment parts and service repairs in the amount of \$50,000 with three 12 month extension options, not to exceed \$50,000 per option, for a total contract amount not to exceed \$300,000.

The motion authorizing the award and execution of amendment number one to a contract with Professional Turf Products was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

54. Authorize award and execution of a service contract with TRANE U.S. INC., Austin, TX for the installation of two guard panels and splitter baffles on two existing Trane RTAA80 chillers at the Emma

S. Barrientos Mexican American Cultural Center in an amount not to exceed \$96,336.00. Trane U.S. Inc. is the single source provider for these services.

The motion authorizing the award and execution of a service contract with Trane U.S. Inc. was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

55. Authorize award and execution of a 36-month requirements service contract with FULL SPECTRUM ANALYTICS INC., Orange, CA for maintenance and repair services for forensics laboratory equipment in an estimated amount not to exceed \$55,910, with three 12-month extension options in estimated amounts not to exceed \$26,542 for the first extension option, \$31,851 for the second extension option, and \$38,221 for the third extension option, for a total estimated contract amount not to exceed \$152,524.

The motion authorizing the award and execution of a requirements service contract with Full Spectrum Analytics Inc. was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

56. Authorize award and execution of a 12-month requirements supply contract with WASTE MANAGEMENT OF TEXAS INC., Houston, TX, for refuse and recycling collection services for the Downtown Business District in an estimated amount not to exceed \$722,793.61, with two 12-month extension options in an estimated amount not to exceed \$722,793.61 for each option, for a total estimated contract amount not to exceed \$2,168,380.83.

The motion authorizing the award and execution of a requirements supply contract with Waste Management of Texas Inc. was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

57. Authorize award and execution of Amendment No. 2 to a contract with AMERICAS COMPUTER COMPANY, San Antonio, TX, for the purchase of programmable logic controllers, to exercise the final extension option in an amount not to exceed \$18,041.25, for a revised total contract amount not to exceed \$54,123.75.

The motion authorizing the award and execution of amendment number two to a contract with Americas Computer Company was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

58. Authorize award and execution of a 12-month requirements service contract with JC COMMUNICATIONS, LEANDER, TX, for installation and maintenance of single mode fiber optic cable in an amount not to exceed \$191,706.40, with two 12-month extension options in an amount not to exceed \$191,706.40 for each extension option, for a total estimated contract amount not to exceed \$575,119.20.

The motion authorizing the award and execution of a requirements service contract with JC Communications was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

59. Authorize award and execution of Amendment No. 2 to a contract with SIEMENS INDUSTRY, INC., Austin, TX, for maintenance and support of traffic management system software to extend the contract for one 12-month period in an amount not to exceed \$25,000, with two additional 12-month extension options in an amount not to exceed \$25,000 per extension option, for a revised total contract amount not to exceed \$125,000.

The motion authorizing the award and execution of amendment number two to a contract with Siemens Industry, Inc. was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

60. Authorize the execution of a long-term contract for handling the City's Single-Stream Recycling either solely with Balcones Resources or solely with Texas Disposal Systems; or a combination of the two companies.

This item was postponed on consent to April 21, 2011 on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

61. Approve an ordinance authorizing two separate Letter of Credit and Reimbursement Agreements between the City of Austin Sumitomo Mitsui Banking Corporation and The Bank of Tokyo-Mitsubishi related to the \$160,740,000 currently outstanding City of Austin, Water and Wastewater System Variable Rate Revenue Refunding Bonds, Series 2008, and approve and authorize all necessary documents and fees relating to these Letter of Credit and Reimbursement Agreements.

Ordinance No. 20110407-061 was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

62. Approve an ordinance authorizing and approving (i) an extension of the expiration date of the Standby Bond Purchase Agreement, between the City of Austin and Dexia Credit Local (Dexia) relating to the \$248,350,000 currently outstanding City of Austin, Texas, Airport System Refunding Revenue Bonds, Series 2005 (the Bonds), (ii) an increase in the facility fee rate to 125 basis points payable by the City of Austin to Dexia pursuant to the Standby Bond Purchase Agreement, and (iii) all necessary related documents and actions.

Ordinance No. 20110407-062 was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

63. Approve appointments and certain related waivers to citizen boards and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.

The following appointment was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

Board/Nominee

Nominated by

Library Commission

Peggy Lee Pleasant

Council Member Riley

64. Approve an ordinance waiving certain application and permit fees in Chapter 10-3 (Food and Food Handlers) of the City Code relating to certain vendors at certified farmers markets within the City of Austin. (Notes: SPONSOR: Council Member Randi Shade CO 1: Mayor Pro Tem Mike Martinez CO 2: Council Member Laura Morrison)

Ordinance No. 20110407-064 was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

Item 65 was pulled for discussion.

66. Approve the waiver of certain fees and requirements for the 2011 Bengali and South Asian New Year Festival event sponsored by Texas Bengali Cultural Alliance which is to be held Saturday, April 9, 2011 at Zilker Hillside Theater. (Notes: SPONSOR: Council Member Laura Morrison CO 1: Council Member Randi Shade CO 2: Mayor Pro Tem Mike Martinez)

The motion to approve the waiver of certain fees and requirements for the 2011 Bengali and South Asian New Year Festival event sponsored by Texas Bengali Cultural Alliance was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

67. Approve the waiver of certain fees and requirements for the 6th annual Urban Music Festival which is to be held Saturday, April 9, 2011 at Auditorium Shores. (Notes: SPONSOR: Council Member Sheryl Cole CO 1: Council Member Chris Riley CO 2: Council Member Randi Shade)

The motion to approve the waiver of certain fees and requirements for the sixth annual Urban Music Festival was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

68. Approve the waiver of certain fees and requirements for the 2011 Mother Earth Day Festival which is to be held Friday, May 6, 2011 at Zilker Metropolitan Park. (Notes: SPONSOR: Council Member Laura Morrison CO 1: Council Member Sheryl Cole CO 2: Council Member Randi Shade)

The motion to approve the waiver of certain fees and requirements for the 2011 Mother Earth Day Festival was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

69. Approve the waiver of certain fees and requirements for the Lady Bird Lake Fest Festival which is to be held Tuesday, May 24, 2011 at Fiesta Gardens. (Notes: SPONSOR: Council Member Laura Morrison CO 1: Council Member Sheryl Cole CO 2: Council Member Chris Riley)

The motion to approve the waiver of certain fees and requirements for the Lady Bird Lake Fest was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

70. Approve the waiver of certain fees for the 13th annual Austin Dragon Boat Festival which is to be held on Saturday, April 30, 2011 at Festival Beach. (Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Council Member Sheryl Cole CO 2: Council Member Randi Shade)

The motion to approve the waiver of certain fees for the 13th annual Austin Dragon Boat Festival was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

71. Set a public hearing to consider an ordinance creating an economic development program for and authorizing the negotiation and execution of an Economic Development Agreement with EBAY, INC. and subsidiaries (Suggested date and time: April 12, 2011, 2:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).

The public hearing was set on consent for April 12, 2011 at 2:00 p.m., City Hall at 301 W. Second Street, Austin, TX on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

Item 72 was a briefing item set for 10:30 a.m.

Items 73 and 74 were Executive Session items.

Items 75 through 78 were zoning items set for 2:00 p.m.

Items 79 and 80 were public hearing items set for 4:00 p.m.

DISCUSSION ITEMS

Items 2 and 25 through 27 were acted on in a combined motion.

2. Approve an ordinance authorizing acceptance of \$2,121,100 in American Recovery and Reinvestment Act (ARRA) grant funds from the U.S. Department of Energy (DOE) through the Texas Department of Housing and Community Affairs (TDHCA) as the administering agency, and amending the Fiscal Year 2010-2011 Austin Energy Operating Budget Special Revenue Fund of Ordinance No. 20100913-002 to appropriate \$2,121,100 for weatherization of homes for low-income, elderly, and disabled customers within Austin Energy's service area.

Ordinance No. 20110407-002 with direction to staff was approved on Council Member Shade's motion, Council Member Spelman's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais. Direction given to staff was:

Continue to meet with the Minority-Owned Business Enterprise Women-Owned Business Enterprise (MBEWBE)/Small Business Enterprise Procurement Program Advisory Committee and contractors and address, for future projects, problems raised by the African American and Hispanic contractors with respect to:

- Rotation list
- Pre-qualified vendors' list
- Transparent procurement process and award augmentation criteria
- Fair and impartial scoring matrix for bid reviews and subsequent awards
- Fair and impartial project administrative process subject to consistent review and updates, as appropriate
- Consistent use of bench marks to evaluate ongoing project progress towards the MBEWBE goals by contractors

25. Authorize award and execution of Amendment No. 3 to six requirements service contracts with AIRTECH ENERGY SYSTEMS, INC., Austin, TX; CLIMATE MECHANICAL, INC., Austin, TX; GO GREEN SQUADS LLC, Austin, TX; MCCULLOUGH HEATING & AIR CONDITIONING, INC., Austin, TX; VALDEZ REMODELING & WEATHERIZATION, INC., Austin, TX; and WEATHERIZATION MANAGEMENT GROUP, Dallas, TX, to increase the contract for weatherization measures and improvement services in an estimated combined amount not to exceed \$1,652,000, for a revised estimated combined contract amount not to exceed \$6,477,490.

The motion authorizing the award and execution of amendment number three to six requirements service contracts with: Airtech Energy Systems, Inc.; Climate Mechanical, Inc.; Go Green Squads LLC; McCullough Heating & Air Conditioning, Inc.; Valdez Remodeling & Weatherization, Inc. and Weatherization Management Group was approved on Council Member Shade's motion, Council Member Spelman's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

26. Authorize award and execution of Amendment No. 3 to nine requirements service contracts with A-PLUS ENERGY MANAGEMENT & A/C, Austin, TX; AMERICAN CONSERVATION & AIR, Austin, TX; APPLE ENERGY GROUP, LLC, Austin, TX; ATS ENGINEERING & INSPECTORS, Austin, TX; CITY CONSERVATION, Austin, TX; MCCULLOUGH HEATING & AIR CONDITIONING, INC., Austin, TX; STANDARD RENEWABLE ENERGY, Austin, TX; THE INSTITUTE FOR BUILDING TECHNOLOGY AND SAFETY, Herndon, VA; and THE NELROD COMPANY, Fort Worth, TX, to increase the contract for weatherization test in audit services in an estimated combined amount not to exceed \$275,349, for a revised estimated combined contract amount not to exceed \$778,349.

The motion authorizing the award and execution of amendment number three to nine requirements service contracts with: A-Plus Energy Management & A/C; American Conservation & Air; Apple Energy Group, LLC; ATS Engineering & Inspectors; City Conservation; McCullough Heating & Air Conditioning, Inc.; Standard Renewable Energy; The Institute for Building Technology and Safety and The Nelrod Company was approved on Council Member Shade's motion, Council Member Spelman's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

27. Authorize award and execution of Amendment No. 2 to nine requirements service contracts with A-PLUS ENERGY MANAGEMENT & A/C, Austin, TX; AMERICAN CONSERVATION & AIR, Austin, TX; APPLE ENERGY GROUP, LLC, Austin, TX; ATS ENGINEERING & INSPECTORS, Austin, TX; CITY CONSERVATION, Austin, TX; MCCULLOUGH HEATING & AIR CONDITIONING, INC., Austin, TX; STANDARD RENEWABLE ENERGY, Austin, TX; THE INSTITUTE FOR BUILDING TECHNOLOGY AND SAFETY, Herndon, VA; and THE NELROD COMPANY, Fort Worth, TX, to increase the contract for weatherization final inspection audit services in an estimated combined amount not to exceed \$178,000, for a revised estimated combined contract amount not to exceed \$428,000.

The motion authorizing the award and execution of amendment number two to nine requirements service contracts with: A-Plus Energy Management & A/C; American Conservation & Air; Apple Energy Group, LLC; ATS Engineering & Inspectors; City Conservation; McCullough Heating & Air Conditioning, Inc.; Standard Renewable Energy; The Institute for Building Technology and Safety and The Nelrod Company was approved on Council Member Shade's motion, Council Member Spelman's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

BRIEFING

72. Staff presentation regarding an economic development proposal to create an economic development program for EBAY, INC.
The presentation was made by Kevin Johns, Director of Economic Growth and Redevelopment Services.

DISCUSSION ITEMS CONTINUED

3. Approve an ordinance amending Chapter 6-7 of the City Code relating to Energy Conservation Audit and Disclosure requirements.
This item was postponed to April 21, 2011 on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 6-0 vote. Council Member Cole was off the dais.
13. Approve Settlement Agreement with the City of Burnet relating to the City of Burnet's application to TCEQ to amend its permit for direct discharge of wastewater into a tributary of Lake Travis.
The motion approving the settlement agreement with the City of Burnet was approved on Council Member Spelman's motion, Mayor Pro Tem Martinez' second on a 6-0 vote. Council Member Cole was off the dais.

CITIZEN COMMUNICATION: GENERAL

Rae Nadler-Olenick - Water fluoridation

Stefan Wray - Make 700 Grove 28 acres a Park preserve

Pam Thompson - 700 Grove 28 acres a preserve, 58" dia trees & springs protected!

Tim Tobin - Red light camera tickets? Plate # PLG825 Bike Riders use bike lane **Not present when name was called.**

Susana Almanza - Preserve 28 acres at Roy Guerrero Park

Daniel Llanes - Preserve @ Colorado River Park

Colette Michalec - Dissolving the office of the Police Monitor/ Citizen Review Panel

Philip Greene - Water fluoridation

Nathan Chelstrom - Lack of response from the City Legal department regarding site development at 2700 Edgewater Dr.

Akwasi Evans - African American quality of life **Not present when name was called.**

Mayor Leffingwell recessed the Council Meeting to go into Executive Session at 12:29 p.m.

EXECUTIVE SESSION

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

73. Discuss legal issues related to a Texas Open Meetings Act complaint, associated requests made under the Public Information Act, the retention of records, and a complaint filed under the City's ethics provisions (Private consultation with legal counsel pursuant to Section 551.071 of the Government Code).
74. Discuss legal issues relating to funding for Palmer Events Center and Butler Park (private consultation with counsel pursuant to Section 551.071 of the Government Code).

Executive Session ended and Mayor Leffingwell called the Council Meeting back to order at 3:35 p.m.

DISCUSSION ITEMS CONTINUED

10. Approve a resolution adopting the City's 2011-2012 Federal Legislative Program including Fiscal Year 2012 appropriations requests.
Resolution No. 20110407-010 , with the following as read into record, was approved on Council Member Riley's motion, Council Member Morrison's second on a 7-0 vote.

The amendment should read:

"Priority Project – Violet Crown Trail System

The Violet Crown Trail System is an ambitious project to create a community-wide regional trail system that will link the central City of Austin, Texas to its southern urban edge and beyond to the rural hill country. The City of Austin, the Hill Country Conservancy, and many other stakeholders are proposing a multi-modal trail system that will be a unique intersection of environmental, business, and community interests in providing a trail that will allow an alternative transportation system. The trail will provide access to commercial and retail centers, neighborhoods, parks, and other points of destination. The proposed trail will connect to major highways, arterials and residential streets.

The Violet Crown Trail System will provide a primary trail that will stretch for approximately 34 miles. The trail will begin in Zilker Park in downtown Austin and travel southward to the existing trail system in the City of Sunset Valley just south of U.S. Hwy 290. From there, the trail will pass through or near seven neighborhoods, including one of the region's largest master planned communities (Circle C Ranch); three major retail and commercial centers; and the nationally known Lady Bird Johnson Wildflower Center. The Violet Crown Trail will link to the existing Austin area trail system, including the Town Lake Trail along Lady Bird Lake, which provides recreation and transportation for more than one million users per year. In addition, this project will connect to the proposed 25-mile trail system planned for the suburban area known as Oak Hill. Thus the primary trail will connect to neighborhood and city trails creating a network of 95 miles of trails. The Violet Crown Trail will be the connector for these existing and other planned trails in this region such as connecting to the proposed MOPAC Bicycle/Pedestrian Bridge over Barton Creek.

The proposed trail will provide access to several parks including the Barton Creek Wilderness Park, the Williamson Creek Greenbelt, Dick Nichols District Park, the Deer Park preserve, Circle C Ranch Metro Park, and the Veloway facility for bicycles and skaters. This urban portion of the Violet Crown Trail System will end at the Lady Bird Johnson Wildflower Center which is a major

destination for locals as well as national and international visitors. The overall impact of the trail system will be significant. It will provide an alternative transportation system that currently does not exist in this highly populated area. The existing roadways of this area are well known for traffic congestion. This trail system will address the pressing need for citizens and visitors to travel throughout central and south Austin without using a vehicle."

17. Approve a resolution authorizing the Parks and Recreation Department's application for up to \$1,000,000 in grant funding from the Texas Parks and Wildlife Department's Outdoor Urban Recreation Grant Program to improve facilities and resources at Auditorium Shores Park.
Resolution No. 20110407-017 was approved on Council Member Morrison's motion, Council Member Riley's second on a 7-0 vote.

14. Discussion and possible action on a resolution relating to the transaction of city business on personal accounts and personal communication devices.
Resolution No. 20110407-014 was approved as follows on Council Member Spelman's motion, Council Member Shade's second on a 7-0 vote.

"WHEREAS, the administration of government in a manner that is open and accessible to the public is a highly valued principle of the Austin City Council; and

WHEREAS, the Austin City Council believes that conducting the City's business in an open and transparent manner is essential to the public interest; and

WHEREAS, the current law regarding many open government issues has been complicated by changing technologies and means of communication, as evidenced by the divergent positions taken by the Texas Attorney General and the Texas courts on issues such as the treatment of information on private electronic devices; and

WHEREAS, although the law regarding personal electronic devices is unsettled in Texas, the Austin City Council desires to bring clarity to city operations by establishing a policy that ensures the public's access to government; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Council establishes the following policy regarding the conduct of city business through written communication on personal communication devices:

- 1. City accounts shall be used to conduct city business.**
- 2. If circumstances require a City official or employee subject to this resolution to conduct city business on a non-city account, the official or employee shall promptly forward the associated electronic communications to a city account. Once forwarded to a city account, the communication will be public information as set out in the Texas Public Information Act.**
- 3. This policy applies to the Mayor and all members of the City Council, and all city employees directly appointed by the City Council, including the City Manager, the City Clerk, the City Auditor, the Chief Judge of the Municipal Court, and the Municipal Court Clerk.**
- 4. This policy does not waive any exception under the Texas Public Information Act.**

BE IT FURTHER RESOLVED:

That the City Manager is directed to develop a policy regarding the conduct of city business on personal communication devices by all other city employees and report progress back to the City Council within 30 days.

BE IT FURTHER RESOLVED:

That the City Clerk is directed to develop a policy regarding the conduct of city business on personal communication devices by members of city boards and commissions with sovereign authority, and report progress to the City Council within 30 days.

BE IT FURTHER RESOLVED:

That the City Manager and the City Clerk are directed to work with the Communications and Technology Management Department to estimate implementation costs of all policies developed pursuant to this resolution.

This policy applies to all communications occurring immediately after the adoption of this resolution."

Direction was given to staff to provide the full Council and the Audit and Finance Commission with an estimate of the dollar amount as a result of the policy enacted by the City of Austin for Boards and Commissions and Council Members, using past requests.

65. Approve a resolution directing the City Manager to present departmental data on key performance measurements, strategic business planning issues, and near-term core objectives to City Council committees in March of each year. (Notes: SPONSOR: Council Member William Spelman CO 1: Council Member Laura Morrison)

This item was postponed to April 21, 2011 on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

ZONING CONSENT ITEMS (PUBLIC HEARINGS)

The following zoning items were acted on by one motion. No separate action occurred on any of the items.

75. C14-2010-0145 - River Place Country Club - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 4207 River Place Boulevard (Panther Hollow Watershed) from interim-rural residence (I-RR) district zoning to community commercial (GR) district zoning for Tract 1 and urban family residence (SF-5) for Tract 2. Staff Recommendation: To grant community commercial - conditional overlay (GR-CO) combining district zoning for Tract 1 and urban family residence (SF-5) for Tract 2. Zoning and Platting Commission Recommendation: To grant community commercial - conditional overlay (GR-CO) combining district zoning for Tract 1 and urban family residence (SF-5) for Tract 2. Applicant: River Place Golf Group, L.P. (Todd Routh). Agent: Urban Design Group (Leia Novosad). City Staff: Clark Patterson, 974-7691.

The public hearing was conducted and the motion to close the public hearing and approve Ordinance No. 20110407-075 for community commercial - conditional overlay (GR-CO) combining district zoning for Tract 1 and urban family residence (SF-5) for Tract 2 was approved on consent on Council Member Spelman's motion, Council Member Riley's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

76. C14-2010-0194 - Briarwick Apartments - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 13400 Briarwick Drive (Lake Creek Watershed) from unzoned to multi-family residence-moderate-high density (MF-4) district zoning. Staff recommendation: To grant multi-family residence-moderate-high density (MF-4) district zoning with conditions. Zoning and Platting Commission Recommendation: To grant multi-family residence-moderate-high density (MF-4) district zoning with conditions. Owner/Applicant: Steelwood/Persimmon/Briarwick, LLP (Steve Ogden). Agent: Smith, Robertson, Elliott, Glen, Klein, & Douglas (David Hartman). City Staff: Sherri Sirwaitis, 974-3057.

The public hearing was conducted and the motion to close the public hearing and approve Ordinance No. 20110407-076 for multi-family residence-moderate-high density (MF-4) district

zoning with conditions was approved on consent on Council Member Spelman's motion, Council Member Riley's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

77. C14-2011-0002 - Gibson Residences - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1203, 1205 and 1107 Gibson Street from general commercial services - mixed use - conditional overlay (CS-MU-CO) combining district zoning to multi-family residence-highest density - conditional overlay (MF-6-CO) combining district zoning. Staff Recommendation: To approve multi-family residence-highest density - conditional overlay (MF-6-CO) combining district zoning. Planning Commission recommendation: To grant multi-family residence-highest density - conditional overlay (MF-6-CO) combining district zoning. Applicant: Gibson Lamar Partners, LP (Arthur Carpenter). Agent: Graves, Dougherty, Hearon & Moody (Michael Whellan). City Staff: Stephen Rye, 974-7604.

The public hearing was conducted and the motion to close the public hearing and approve Ordinance No. 20110407-077 for multi-family residence-highest density - conditional overlay (MF-6-CO) combining district zoning was approved on consent on Council Member Spelman's motion, Council Member Riley's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais. The owner agreed to install a sidewalk and to not remove heritage trees.

78. C14-2010-0200 - Lankford 2.49 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 13635 Rutledge Spur (Lake Creek Watershed) from interim-rural residence (I-RR) district zoning to general commercial services (CS) district zoning. Staff Recommendation: To grant family residence-conditional overlay (SF-3-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant an indefinite postponement. Owner/Applicant: Janice Lankford. Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Sherri Sirwaitis, 974-3057.

This item was postponed on consent indefinitely on Council Member Spelman's motion, Council Member Riley's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais. (Under City Code, items postponed indefinitely are withdrawn from the active agenda and must be re-noticed before being placed back on the council agenda.)

Mayor Leffingwell recessed the Council Meeting at 5:35 p.m.

LIVE MUSIC

Austin Lyric Opera

PROCLAMATIONS

Proclamation -- Jonathan Dove Day (Austin Lyric Opera) -- to be presented by Mayor Lee Leffingwell and to be accepted by the honoree

Proclamation -- Sacred Earth and Healing Arts Days -- to be presented by Mayor Lee Leffingwell and to be accepted by the Tibetan delegation

Proclamation -- National Public Health Week -- to be presented by Mayor Lee Leffingwell and to be accepted by Shannon Jones

Proclamation -- Friends of Barton Springs Treeathlon -- to be presented by Mayor Lee Leffingwell and to be accepted by Mike Cannatti

Certificate of Congratulations -- Ahora Si! Texas Spanish Newspaper of the Year -- to be presented by Mayor Pro Tem Mike Martinez and to be accepted by Josefina Vilcana, George Gutierrez and staff members

Mayor Leffingwell called the Council Meeting back to order at 7:02 p.m.

PUBLIC HEARINGS AND POSSIBLE ACTION

79. Conduct a public hearing in accordance with Section 26.001 et seq. of the Texas Parks and Wildlife Code and consider a resolution to approve using portions of dedicated parkland known as Town Lake - Holly Shores Park for purposes of accessing, constructing, maintaining, repairing and replacing a storm drain line and related appurtenances in connection with the Lady Bird Lake/East 4th Street Drainage Improvements (CIP ID 5789.028). The portions of the parkland to be used are (a) approximately 2,382 square feet for a permanent storm drain line, and (b) approximately 5,125 square feet for a temporary access and workspace area. (Suggested date and time: April 7, 2011, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).

The public hearing was conducted and the motion to close the public hearing and approve Resolution No. 20110407-079 was approved on Council Member Cole's motion, Council Member Spelman's second on a 5-0 vote. Mayor Pro Tem Martinez and Council Member Morrison were off the dais.

80. Conduct a public hearing to receive citizen input on community needs for comments on the Fiscal Year 2011-2012 Action Plan, as required by the U.S. Department of Housing and Urban Development (HUD); and the Community Development 2011-2012 Program as required by Texas Local Government Code Chapter 373.

The public hearing was conducted and the motion to close the public hearing was approved on Council Member Shade's motion, Council Member Cole's second on a 6-0 vote. Mayor Pro Tem Martinez was off the dais.

Mayor Leffingwell adjourned the meeting at 7:41 p.m. without objection.

The minutes for the Regular Meeting of April 7, 2011 were approved on this the 21st day of April 2011 on Council Member Cole's motion, Mayor Pro Tem Martinez' second on a 7-0 vote.